IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929

WP(C).No. 21161 of 2007(T)

PETITIONER:

P.M.KAMARUDEEN,AGED 34,
S/O.PUTHENPEEDIKAYIL P.P.MOIDUNNI MUSALIAR,
KARIKAD DESOM,KUNNAMKULAM, THRISSUR DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:
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1. **THE CIRCLE INSPECTOR OF POLICE,**
   KUNNAMKULAM POLICE STATION,KUNNAMKULAM P.O.,
   THRISSUR DISTRICT.

2. **THE SUB INSPECTOR OF POLICE, KUNNAMKULAM**
   POLICE STATION, THRISSUR DISTRICT.

3. **C I T U C UNION, PORKALAM UNIT, REP**
   BY ITS UNION SECRETARY, PORKALAM P.O.,KUNNAMKULAM,
   THRISSUR DISTRICT.

BY GOVT.PLEADER SRI.P.A.SALIM FOR R1 AND R2
ADV.SRI.K.A.SREEJITH FOR R3

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE LICENSE ISSUED BY THE PORKULAM PANCHAYATH TO THE PETITIONER DATED 17.5.2007.

EXT.P2: COPY OF THE COMMUNICATION BY THE BANK TO THE PETITIONER CONCERNING THE LOAN DATED 8.11.2006.

EXT.P3: COPY OF THE FIR IN CRIME NO.741/07 OF THE KUNNAMKULAM POLICE STATION DATED 2.7.2007.

/TRUE COPY/

J.B. KOSHY and T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) No.21161 of 2007 T

Dated this the 17th day of July, 2007

Judgment

Koshy, J.

This is a petition for police protection. By order dated 10.7.2007, a Division Bench of this Court ordered as follows:

> "It is specifically averred that the area is not made applicable for the scheme under the Headload Workers Act and that the members of the 3rd respondent Union are causing physical obstruction. In the circumstances, there will be an interim direction to respondents 1 and 2 to give necessary protection to the petitioner so as to enable the work carried on in the hollow bricks manufacturing unit without being obstructed by the 3rd respondent or its members."

If the third respondent union or workers have got any objection, they have to raise the labour dispute before the authorities under the Headload Workers' Act, but, they cannot take law into their hands. The above order dated 10.7.2007 is made absolute without prejudice to the

right of the third respondent or any of the workers to approach the statutory authorities for getting appropriate orders.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

vaa

J.B. KOSHY AND
T.R.RAMACHANDRAN NAIR, JJ.

M.F.A.NO./2000

JUDGMENT

Dated:17th July, 2007